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*Time-
Dated
Material*

The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. SECRETARY OF STATE

DIVISION 7. ADMINISTRATION

PROPOSAL TO ADD ARTICLE 1, CHAPTER 14.

NOTICE OF PROPOSED RULEMAKING

Notice is hereby given that the Secretary of State intends to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Secretary of State proposes the following regulatory action: Add new provisions to Division 7 of Title 2 of the California Code of Regulations to read as Sections 22610.1, 22610.2, 22610.3, and 22610.4, to implement, interpret or make specific provisions of Probate Code sections 4800, 4801 and 4802.

AUTHORITY AND REFERENCE

Authority cited: Probate Code sections 4800, 4801 and 4802.

Reference cited: Probate Code sections 4800, 4801, 4802.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Secretary of State proposes to add new Article 1, Chapter 14 to Division 7, Title 2, California Code of Regulations by adopting Sections 22610.1, 22610.2, 22610.3, and 22610.4. These sections concern the Registry for written advance health care directives maintained by the Secretary of State.

The purpose of the proposed regulations is to facilitate implementation of the program required to be es-

tablished by the Secretary of State pursuant to Probate Code sections 4800 through 4805, as amended by Statutes of 2004, Chapter 882 (AB 2445 — Canciamilla). This statutory program responds to a legislative finding set forth in Probate Code section 4650(a), which provides, in part that “. . . an adult has the fundamental right to control the decisions relating to his or her own health care, including the decision to have life-sustaining treatment withheld or withdrawn.” Pursuant to this program, an individual who has executed a written advance health care directive can register information regarding that directive, including the location of the directive, or deposit the directive itself, with the Secretary of State’s Office. The Secretary of State’s Office can make the information in this Registry available to appropriate health care providers, public guardians, and the registrant’s legal representative(s). (An advance health care directive allows a person to indicate his or her desire with respect to receiving health care and to designate an individual to make decisions regarding health care, if the person is unable to make his or her desires known due to his or her medical condition.) Statutes of 2004, Chapter 882, among other things, requires that a fee be charged for registering the directive and that a registration card be issued by the Secretary of State to the registrant.

Specifically, proposed regulation Section 22610.1 defines “health care provider,” “the public guardian,” “the legal representative of the registrant,” and “other authorized persons.” The proposed regulation defines “health care provider,” “the public guardian,” and “legal representative of the registrant,” as used in Probate Code sections 4800 and 4801, to include specified non-Californians among those persons authorized to obtain information regarding registrants. This is intended to address the needs of Californians who may be outside of California when health care decisions arise. The proposed regulation defines “other authorized persons,” as used in Probate Code section 4801, to mean “legal representatives of the registrant,” as defined in the regulation.

Proposed regulation Section 22610.2 provides for the Secretary of State to prescribe the form used to register directives and the specific contents of that form. The proposed regulation sets forth information that may be disclosed or solicited on the form. The regulation also requires the information required to be provided to registrants, as specified in Probate Code section 4802, to be included as part of the form or with materials that accompany the registration card provided to the registrant pursuant to Probate Code section 4800(d).

Proposed regulation Section 22610.3 establishes a fee of \$10.00 for filing a registration, including a copy of a related written advance health care directive, if any. It also provides that no fees shall be charged for changes

and revocations to registrations or to written advance health care directives that may be filed with the Secretary of State.

Proposed regulation Section 22610.4 indicates what must be submitted to obtain information or copies of written directives filed with the Registry. The proposed regulation requires that all requests for information be in writing. The proposed regulation requires the written request to include the following: (1) name, address and telephone number of the requestor; (2) credible evidence establishing the identity of the requestor; (3) a statement establishing the authority to receive the information requested; (4) the identity of the individual for whom information is requested; and (5) a statement setting forth the reason the information is needed.

PUBLIC HEARING

The Secretary of State's Office has not scheduled a public hearing on this proposed rulemaking. However, the Secretary of State's Office will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period. Any request for a public hearing should be sent within the time specified to the contact person indicated below.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Secretary of State's Office. Written comments concerning the proposed rulemaking must be received by 5:00 p.m. on March 15, 2006. The Secretary of State's Office will consider only comments **received** by that time. Submit written comments to the contact indicated below.

AVAILABILITY OF THE TEXT IN PLAIN ENGLISH

The text of the proposed regulations is available in plain English from the contact person indicated below.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Secretary of State has made the following initial determinations:

1. **Mandate on local agencies and school districts:** None.

2. **Cost or savings to any state agency:** None beyond that currently budgeted for the Secretary of State's Office. The cost of implementing the program by the Secretary of State's Office is estimated to be \$37,000 per year, which will be offset, all or in part, by fees proposed by the regulations, pursuant to Probate Code section 4800(f). This finding is currently provided in the Secretary of State's Office budget for the 2005–2006 fiscal year.
3. **Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:** None.
4. **Other nondiscretionary cost or savings imposed on local agencies:** None.
5. **Cost or savings in federal funding to the state:** None.
6. **Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states:** None.
7. **Cost impacts on a representative private person or businesses:** The Secretary of State is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
8. **Adoption of these regulations will not:**
 - (A) create or eliminate jobs within California;
 - (B) create new businesses or eliminate existing businesses within California; or
 - (C) affect the expansion of businesses currently doing business within California.
9. **Significant effect on housing costs:** None.
10. **Effect on small business:** None. The proposed regulations do not impose any fees on small businesses or require that any forms or reports be prepared or filed by small businesses. According to the proposed regulations or statutes, the fees and use of forms are required only of individuals who voluntarily choose to register with the Advance Health Care Directive Registry that is mandated by statute to be created. With respect to small businesses, the proposed regulations only address the minimal procedures that authorized persons and entities need to follow to facilitate obtaining authorized information that is contained in the Registry.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Secretary of State's Office must determine that no reasonable alternative has been identified that would be more effective in carrying out the purposes for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

The Secretary of State invites persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Secretary of State's Office will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at the address indicated below. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed regulations and the initial statement of reasons. The initial statement of reasons includes the express terms of the proposed action and the information upon which the proposed action is based. Copies are posted on the Secretary of State's web site at <http://www.ss.ca.gov/business> and may also be obtained from the contact indicated below.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Secretary of State's Office may adopt the proposed regulations substantially as described in this notice. If the Secretary of State's Office makes modifications which are sufficiently related to the originally-proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Secretary of State's Office adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the Contact indicated below. The Secretary of State's Office will accept written comments on the modified regulations for 15 days after the date on which they are made available generally.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed through

the Secretary of State's web site at <http://www.ss.ca.gov/business>. A copy of the Final Statement of Reasons will be posted on the web site once the statement has been prepared.

CONTACT

The contact for this proposed rulemaking is:

Primary Contact:

Tony Miller, Staff Counsel
Business Programs Division
Notary Public and Special Filings Section
1500 11th Street, Second Floor
Sacramento, CA 95814
Telephone: 916-653-0296
E-mail: tmiller@ss.ca.gov

Backup Contact:

Mary Ingham, Analyst
Business Programs Division
Notary Public and Special Filings Section
1500 11th Street, Second Floor
Sacramento, CA 95814
Telephone: 916-653-4104

All inquiries regarding this proposed rulemaking, including requests for obtaining the Final Statement of Reasons, should be directed to the contact listed above.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE OF PROPOSED REGULATIONS

NOTICE IS HEREBY GIVEN that the Secretary of the Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code Section 12838.5, Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058 in order to implement, interpret and make specific PC Section 5054, proposes to amend and adopt Sections 3043.1, 3043.7, 3327, and 3328 of the California Code of Regulations (CCR), Title 15, regarding 45-day requirement for notification local law enforcement authorities prior to the release of certain offenders.

PUBLIC HEARING

Date and Time: March 6, 2006, 11:30 a.m. to 1:00 p.m.
Place: Resources Agency Auditorium
1416 Ninth Street
Sacramento, CA 95814
Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD

The public comment period will close March 6, 2006 at 5:00 p.m. Any person may submit public comments in writing (by mail, fax, or e-mail) regarding the proposed changes. To be considered by the Department, comments must be submitted to the CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001; by fax at (916) 358-2636; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period. The hearing site identified above is accessible to mobility impaired individuals.

CONTACT PERSON

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief,
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883, Sacramento, CA 94283-0001
Telephone (916) 358-1655**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**Ann Cunningham
Regulation and Policy Management Branch
Telephone: (916) 358-1655**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Janet Rodriguez, Chief
Case Records Services
Telephone: (916) 445-9652**

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate that requires reimbursement pursuant to Government Code Sections 17500 through 17630.

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: *None*
- Other non-discretionary cost or savings imposed on local agencies: *None*
- Cost or savings in federal funding to the state: *None*

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by this change in the internal management of state prisons.

ASSESSMENTS OF EFFECTS ON JOB AND/OR BUSINESS CREATION, ELIMINATION, OR EXPANSION

The Department has determined that the proposed regulation will have no effect on the creation of new or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons, than the proposed regulatory action. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains these items and all information on which the proposal is based (i.e., rulemaking file), will be made available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and the Notice of Proposed Action will also be made available on the Department's website at <http://www.cdcr.state.ca.gov>.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the final statement of reasons may be obtained from the Department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Effective July 1, 2005, the Youth and Adult Correctional Agency (YACA), which consisted of the California Department of Corrections (CDC), the California Youth Authority (CYA), the Board of Prison Terms, the Board of Corrections, the Youth Authority Board, and the Narcotic Addict Evaluation Authority was abolished and reorganized into the Department of Corrections and Rehabilitation.

Government Code (GC) Section 12838(a) creates the CDCR, headed by a secretary.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to the Department

of Corrections in this or any code, refers to the CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing July 1, 2005, any reference to the Director of Corrections, in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the director. Commencing July 1, 2005, the supervision, management and control of the state prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

- The amended provisions of PC Sections 3058.6 and 3058.9 alter a preexisting obligation to report inmate release to local authorities. In order to meet this new notification requirement applied to certain offenders, the Department must now ensure that advancing a qualifying inmate's release date through credit restoration does not circumvent the statutory time frame for such notification. However, while the statutes in question plainly prohibit the Department from administratively restoring credits if the restoration would deny 45 days notice, no additional authority to prohibit credit restoration at any point prior to 45 days from the scheduled release date has been specifically provided. Additionally, inmates shall not be placed in a greater credit earning category if it prevents notification to local law enforcement of the release of inmates described in Section 3327(c)(2) in the 45-day time frame.
- Reality dictates that calculating and processing credit restoration of affected violent offenders has to be cut off at some point in time prior to 45 days. In addition, because of this administrative reality, it may be that only partial credit can be provided subject inmates in order to avoid invading the 45 day mark that applies in their case. Amendments proposed are intended to create the regulatory basis for such outcomes, if circumstances so dictate. Although the earning and restoration of work incentive credits of a limited number of inmates may be thereby affected on a case-by-case basis, such an outcome is clearly in accordance with the legislature's intentions.

- Changes in subsection 3043.1(e) are needed to ensure that any subject inmates' credit earning status will not change just prior to their scheduled release date, as PC Sections 3058.6 and 3058.9 necessitate. Subsections 3327(a)(2) and 3327(c) are amended for clarity to ensure proper understanding of the intent regarding what constitutes a disciplinary-free period and to more accurately capture the substantive meaning of the text in question. Subsection 3327(c)(2) newly enables the Department to operationally establish time and procedural processes adequate for coordinating release within the time required by statute. A subsection 3327(c)(3) amendment allows case records staff up to 75 processing days when computing the release date for affected offenders at the conclusion of a credit restoration hearing. Changes in subsections 3328(b) and (c) correct an existing textual confusion regarding time frames and ensure the affected offenders are not eligible for one time credit restorations if doing so conflicts with the Department's ability to comply with the 45 day notification requirement.
- These release dates and credit restoration limitations provide staff sufficient time for planning and processing so that notification to all appropriate local law enforcement agencies can occur within the time frame now required by statute.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND GAME

CESA CONSISTENCY DETERMINATION FOR Caltrans State Route 125 South Project San Diego County

The Department of Fish and Game ("Department") received notice on December 28, 2005 that the Department of Transportation ("Caltrans") proposes to rely on consultations between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act ("CESA"). This project consists of the construction of a new four-lane highway between State Route 905 near the Otay Mesa point of entry and State Route 54 in Spring Valley. The activities will impact riparian, wetland, and vernal pool habitats.

The U.S. Fish and Wildlife Service, on May 19, 2003, issued to the Federal Highway Administration, an

amended no jeopardy federal biological opinion (FWS-SDG-1804.4) which considers the federally and state endangered least Bell's vireo (*Vireo bellii pusillus*) and federally threatened and state endangered Otay tarplant (*Deinandra conjugens*) and authorizes incidental take.

Pursuant to California Fish and Game Code Section 2080.1, Caltrans is requesting a determination on whether the Federal Biological Opinion FWS-SDG-1804.4 is consistent with CESA.

If the Department determines that the federal biological opinion is consistent with CESA, Caltrans will not be required to obtain an incidental take permit under CESA for the proposed project.

DEPARTMENT OF FISH AND GAME

CONSISTENCY DETERMINATION Fish and Game Code Section 2080.1 CESA No. 2080-2005-034-03

Project: Relocation of U.S. Highway 101 at Confusion Hill
Location: South Fork Eel River on U.S. Highway 101 at Post Miles 98.9 and 100.8 in Mendocino County
Notifier: California Department of Transportation

BACKGROUND

The California Department of Transportation ("Caltrans"), in cooperation with the Federal Highway Administration ("FHWA"), proposes to construct a new two-lane highway to bypass a rockslide at Confusion Hill on U.S. Highway 101 between post miles 98.9 and 100.8 in Mendocino County ("project"). The highway will bypass the rockslide by crossing and re-crossing the South Fork Eel River to the west of the existing highway. The new highway will be 1.7 miles in length and be comprised of two new bridges across the South Fork Eel River and a through-cut of a ridge on the west side of the river. The bridges will be constructed from two of three temporary trestles that will cross the river. Wet channel crossings, the placement of piles, and blasting and excavation work will be required to construct the new highway. Caltrans anticipates field construction to begin in March 2007 and end in December 2009.

The project could result in the take of Southern Oregon/Northern California Coast ("SONCC") coho salmon (*Oncorhynchus kisutch*); California Coastal chinook salmon (*O. tshawytscha*); and Northern California steelhead (*O. mykiss*). SONCC coho salmon is listed as threatened under both the federal Endangered Species

Act (“ESA”) (16 U.S.C. § 1531 *et seq.*) and the California Endangered Species Act (“CESA”) (Fish & G. Code, § 2050 *et seq.*). California Coastal chinook salmon and Northern California steelhead are listed as threatened under the ESA.

Because the project has the potential to take species listed under the ESA, FHWA consulted with the National Oceanic and Atmospheric Administration National Marine Fisheries Service (“NMFS”). On November 4, 2005, NMFS issued to FHWA a “no jeopardy” biological opinion (151422SWR04SR9151) for the project. The biological opinion describes the project and sets forth measures to mitigate project impacts to SONCC coho salmon, California Coastal chinook salmon, and Northern California steelhead. On December 2, 2005, the Director of the Department of Fish and Game (“Department”) received a notice from Caltrans requesting a determination that the biological opinion is consistent with CESA.

DETERMINATION

The Department has determined that the biological opinion is consistent with CESA. The mitigation measures in the opinion meet the conditions set forth in Fish and Game Code section 2081, subparagraphs (b) and (c), which, when met, authorize the incidental take of CESA-listed species. Specifically, the Department finds that the take of SONCC coho salmon will be incidental to an otherwise lawful activity (i.e., the relocation of U.S. Highway 101 at Confusion Hill) and the mitigation measures identified in the biological opinion will minimize and fully mitigate the impacts of the authorized take on SONCC coho salmon. The mitigation measures in the opinion include, but are not limited to, the following:

1. Construction in and immediately adjacent to the channel of the South Fork Eel River may occur only between May 15 and October 31 of each year.
2. A qualified biologist shall monitor the placement and removal of instream cofferdams, in-channel activities, and the performance of sediment control or detention devices.
3. Prior to any work within the 100-year floodplain of the South Fork Eel River or any blasting-related activity, Caltrans and FHWA shall implement a hydroacoustic monitoring plan developed in consultation with NMFS and the Department.
4. The existing culvert at the U.S. Highway 101 crossing of Red Mountain Creek will be replaced with a correctly sized culvert to improve fish passage and the quality and availability of critical spawning and rearing habitat for salmonids.

5. Prior to any work within the 100-year floodplain of the South Fork Eel River, Caltrans and FHWA shall ensure and provide funding for implementation of minimization and mitigation measures and for monitoring compliance and effectiveness of those measures in a form acceptable to and approved in writing by NMFS and the Department.

Based on the Department’s consistency determination, Caltrans does not need to obtain authorization from the Department under CESA for take of SONCC coho salmon that occurs in carrying out the project, provided Caltrans complies with the mitigation measures and other conditions described in the biological opinion. However, if the project as described in the opinion, including the mitigation measures therein, changes after the date of the opinion, or if NMFS amends or replaces that opinion, Caltrans will need to obtain from the Department a new consistency determination (in accordance with Fish and Game Code section 2080.1) or a separate incidental take permit (in accordance with Fish and Game Code section 2081).

DEPARTMENT OF FISH AND GAME

CONSISTENCY DETERMINATION Fish and Game Code Section 2080.1 CESA No. 2080–2005–033–02

PROJECT: SMUD Elkhorn–Natomas Neighborhood Electric Distribution Project
LOCATION: Sacramento County
NOTIFIER: Becky Rozumowicz, Project Manager, Area West Environmental
APPLICANT: Sacramento Municipal Utility District (SMUD)

BACKGROUND

The SMUD Elkhorn–Natomas Neighborhood Electric Distribution Project is needed to provide a reliable source of electricity to meet the electric demand created by approved development in the North Natomas area. The electrical infrastructure needs were based on projected land use and development for the North Natomas Community Plan in 1993 and amended in 1996. The project includes construction of three neighborhood distribution substations and installation of several power line segments to deliver the electricity. The project is located in the Natomas Basin area of Sacramento County within areas covered by the Natomas Basin Habitat Conservation Plan (NBHCP) and the Metro Air Park Habitat Conservation Plan (MAPHCP), as well as in areas that are not covered by an HCP.

Effects to special status species within the MAPHCP and NBHCP Plan Areas are covered by the DFG Incidental Take Permits issued to the Metro Air Park Property Owner's Association and the City of Sacramento, respectively, and have been mitigated through payment of the HCP habitat impact fees (CESA Permit No. 2081-2001-017-02 and 2081-1995-086-02-A1). Mitigation for utility pole installation where fees have not been paid will be accomplished by SMUD paying the appropriate mitigation fees. Because SMUD will purchase a graded substation site, payment of HCP fees for the Elkhorn-Lone Tree Substation will be done by the developer that performs site grading before SMUD takes possession of the site. SMUD will provide proof of fee payment to the Natomas Basin Conservancy for poles and the substation prior to the onset of construction on the MAPHCP and NBHCP areas.

Because of the project's potential for take of the listed Giant garter snake (*Thamnophis gigas*)(snake), the U.S. Army Corps of Engineers consulted with the U.S. Fish and Wildlife Service (Service), as required by the Endangered Species Act ("ESA") (16 U.S.C. § 1531 *et seq.*). On November 16, 2005, the Service issued Biological Opinion No. 1-1-05-F-0286 for the Addendum of the Proposed Elkhorn-Natomas Electric Distribution Project, describing the project actions and setting forth measures to mitigate impacts to the snake and its habitat, listed under the California Endangered Species Act, Fish and Game Code Sections 2050 *et seq.* ("CESA"). On December 2, 2005, the Director of the Department of Fish and Game (DFG) received a notice from Area West Environmental, (representing SMUD) pursuant to Fish and Game Code Section 2080.1, requesting a determination that the federal Biological Opinion is consistent with CESA.

DETERMINATION

Based on the terms and conditions in federal Biological Opinion No. 1-1-05-F-0286, DFG has determined that the project is consistent with CESA because the project and mitigation measures meet the conditions set forth in Fish and Game Code Section 2081(b) and (c) for authorization of incidental take of species protected under CESA. DFG specifically finds that the measures identified in the Biological Opinion will minimize and fully mitigate the project's potential impacts on the snake. These measures include, but are not limited to, the following requirements:

1. Construction and maintenance personnel shall participate in a regulatory agency approved worker environmental awareness training program. The training shall instruct workers on how to identify giant garter snakes and their habitats, and what to do if a snake is encountered during construction activities. During this training a biological monitor shall be designated.
2. No more than 30 days prior to commencement of construction activities in snake habitat, a regulatory agency-approved biologist shall undertake a pre-construction survey for giant garter snake.
3. No more than 24 hours prior to commencement of construction activities in giant garter snake habitat, a regulatory agency-approved biologist shall undertake a pre-construction survey for giant garter snake. If construction activities stop on the project site for a period of two weeks or more, a new survey shall be completed not more than 24 hours prior to the re-start of construction activities.
4. All work involving disturbance of giant garter snake habitat, including activities within 200 feet of aquatic habitat, will be restricted to the period between May 1 and September 30, with exceptions made to extend this window during periods of warm or temperate conditions, subject to the discretion of regulatory agencies.
5. If a live giant garter snake is encountered during construction activities, construction personnel shall notify the Service and DFG and the project's biological monitor immediately. The biological monitor shall have the authority to halt work until appropriate corrective measures have been implemented and it is determined that the giant garter snake will not be harmed. Snakes encountered during construction activities shall be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current Service recovery permits pursuant to Section 10(a)1(A) of the ESA.
6. Vegetation clearing shall be confined to the minimal area necessary to complete the proposed activity.
7. Movement of heavy equipment to and from the project site shall be restricted to established roadways and designated construction staging

areas to minimize upland habitat disturbance. Where possible a lane of the existing roadway shall be used as a lay down area, rather than using the upland area adjacent to a drainage ditch.

8. Fill or construction debris may be used by giant garter snakes as an overwintering site. Therefore, upon completion of construction activities all temporary fill and or construction debris will be removed from the site. If this material is situated near undisturbed snake habitat and it is to be removed between October 1 and April 30, it shall be inspected by a qualified biologist to assure that snakes are not using it as hibernaculae.
9. No plastic, monofilament, jute or similar erosion control matting that could entangle snakes will be placed on a project site within 200 feet of giant garter snake aquatic or rice habitat.
10. Effects to giant garter snake habitat that lies within areas covered by existing HCP's will be compensated by the payment of fees by SMUD to the Natomas Basin Conservancy for compensatory habitat as required by the NBHCP and the MAPHCP.
11. Permanent effects to giant garter snake habitat that lies outside areas covered by the existing HCPs will be compensated at a 3:1 ratio, by the payment of fees to the Natomas Basin Conservancy in the amount equivalent to the giant garter snake species fund for the purpose of funding activities which will benefit the giant garter snake. Because a total of 0.0026 acre would be permanently affected, SMUD would compensate by paying Natomas Basin Conservancy for 0.0078 acre.
12. Approximately 0.1 acre of temporary effects will occur due to the pole placement. These areas will be restored to pre-project conditions.

Pursuant to Fish and Game Code section 2080.1, incidental take authorization under CESA will not be required for incidental take of giant garter snake for the project, provided that SMUD implements the project as described in the biological opinion and complies with the mitigation measures and other conditions described in the biological opinion. If there are any substantive changes to the project, including changes to the mitigation measures, or if the Service amends or replaces the biological opinion, SMUD will be required to obtain a new consistency determination or a CESA incidental take permit from DFG.

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

NOTICE TO INTERESTED PARTIES

**ANNOUNCEMENT OF SECOND
PUBLIC COMMENT PERIOD**

**DRAFT TECHNICAL SUPPORT
DOCUMENTS ON PROPOSED PUBLIC
HEALTH GOALS FOR CIS- AND
TRANS-1,2-DICHLOROETHYLENE,
1,1,1-TRICHLOROETHANE,
1,1,2-TRICHLOROETHANE,
RADIUM-226 AND -228, STRONTIUM-90,
AND TRITIUM IN DRINKING WATER**

The Office of Environmental Health Hazard Assessment (OEHHA) within the California Environmental Protection Agency is announcing the availability of the revised draft technical support documents for proposed Public Health Goals (PHGs) for cis- and trans-1,2-dichloroethylene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, radium-226 and -228, strontium-90, and tritium in drinking water. The draft documents are posted on the OEHHA Web site (www.oehha.ca.gov). OEHHA is soliciting comments on the draft reports during a 30-day comment period. OEHHA follows the requirements set forth in Health and Safety Code Sections 57003(a) and 116365 for receiving public input.

OEHHA will evaluate all the comments received and revise the documents as appropriate. Written comments must be received at the OEHHA address below by 5:00 p.m. on February 15, 2006, to be considered before publication of the final documents. The final documents will be posted on our Web site along with responses to the major comments received during the public review and scientific comment periods.

The PHG technical support documents provide information on the health effects of contaminants in drinking water. The PHG is a level of drinking water contaminant at which adverse health effects are not expected to occur from a lifetime of exposure. The California Safe Drinking Water Act of 1996 (Health and Safety Code Section 116365) requires OEHHA to de-

velop PHGs based exclusively on public health considerations. PHGs published by OEHHA will be considered by the California Department of Health Services in setting drinking water standards (Maximum Contaminant Levels, or MCLs).

If you would like to receive further information on this announcement or have questions, please contact our office at (510) 622-3170 or the address below.

Ms. Catherine Caraway (ccaraway@oehha.ca.gov)
Pesticide and Environmental Toxicology Branch
Office of Environmental Health Hazard Assessment
California Environmental Protection Agency
Headquarters: 1001 I Street, 12th Floor
Sacramento, California 95814
Mailing address: P.O. Box 4010, Sacramento, CA
95812-4010
Attention: PHG Project

RULEMAKING PETITION DECISIONS

DEPARTMENT OF INSURANCE

VIA FACSIMILE AND US MAIL (310) 319-0156

December 30, 2005

Bryce Gee, Esq.
Strumwasser & Woocher LLP
100 Wilshire Boulevard, Suite 1900
Santa Monica, California 90401

SUBJECT: Decision on Petition for Emergency and Permanent Rulemaking

Dear Mr. Gee:

On December 1, 2005, the Insurance Commissioner of the State of California received a petition from you on behalf of the California Earthquake Authority ("Petitioner"). Petitioner, pursuant to Government Code sections 11340.6 and 11346.1, requested that the Commissioner undertake rulemaking proceedings to amend a regulation that defines the coverage types and limits for earthquake insurance policies offered by Petitioner. The Commissioner hereby grants the Petition for Emergency and Permanent Rulemaking.

Petitioner has requested amendments to California Code of Regulations, title 10, section 2697.6, entitled "Earthquake Policies, Coverage Types and Limits." The circumstances detailed in the Petition, the differing time deadlines mandated for rate approval and policy coverage changes specified in the CEA statute and reg-

ulations, as well as existing case law, support promulgating this regulation on an emergency basis. Pursuant to Government Code, section 11340.7, the Commissioner intends to schedule this matter for public hearing in accordance with the requirements of Article 5 of the Government Code (commencing with section 11346). Interested persons may obtain a copy of the petition from, or direct questions to, me.

Sincerely,

Lisbeth Landeman-Smith
Staff Counsel

cc: Daniel Marshall (CEA)

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

BOARD OF EDUCATION

Uniform Compliant Procedures

This action updates the uniform compliant procedure utilized by schools to accept complaints, investigate allegations, and make decisions and the procedure for review by the state to include separate procedures for complaints related to matters addressed in the Williams settlement and to conform to changes in relevant federal and state law.

Title 5

California Code of Regulations

ADOPT: 4680, 4681, 4682, 4683, 4684, 4685, 4686, 4687 AMEND: 4600, 4610, 4611, 4620, 4621, 4622, 4630, 4631, 4632, 4633, 4640, 4650, 4651, 4660, 4662, 4663, 4664, 4665, 4670, 4910 REPEAL: 4661, 4671

Filed 12/29/05

Effective 12/29/05

Agency Contact: Debra Strain (916) 319-0641

BOARD OF EQUALIZATION

Application of use tax to locomotives

This regulatory action establishes that transactions involving the purchase of locomotives are not subject to use tax if specified conditions are met.

Title 18
California Code of Regulations
AMEND: 1620
Filed 12/29/05
Effective 01/28/06
Agency Contact:
Chelsea C. Carlock (916) 322-3084

CALIFORNIA ARCHITECTS BOARD
Computer-Base Exam Transition Plan; Re-Exam

This regulatory action updates the title of one Architect Registration Examination (ARE) division, provides for a five-year period during which a candidate must complete the nine-division exam, and describes how conditional credit and full credit are earned.

Title 16
California Code of Regulations
AMEND: 119.6, 120
Filed 12/30/05
Effective 01/01/06
Agency Contact: Liza Walker (916) 324-9919

CALIFORNIA ENERGY COMMISSION
Appliance Efficiency Standards

This action is the Commission's 2005 revisions to the minimum energy efficiency standards for various appliances.

Title 20
California Code of Regulations
AMEND: 1601, 1602, 1603, 1604, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608
Filed 12/30/05
Effective 01/01/06
Agency Contact: Jonathan Blees (916) 654-3953

CALIFORNIA ENERGY COMMISSION
Petroleum Industry Information Act

This is the resubmission of an action that would update the regulations defining terms and specifying the information that entities subject to the continuing monthly and new weekly, monthly and annual reporting requirements of the Petroleum Industry Information Reporting Act must report to the state.

Title 20
California Code of Regulations
ADOPT: 1362, 1363.1, 1363.2, 1365.1, Appendix C
AMEND: 1364, 1366, 1368.1, 1369, 1370, Appendix A, Appendix B
REPEAL: 1363, 1365, 1368, 1368.5
Filed 01/03/06
Effective 02/02/06
Agency Contact: Sue Kateley (916) 657-4245

CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY
Capitol Access Program for Small Businesses

Six regulations are being amended to clarify various items that have occurred during actual loan transactions. The changes clarify that fees to be paid by a borrower in to the lender's loss reserve account can be rolled into the total amount of the loan. They also clarify that lender's are only entitled to seek reimbursement for the portion of the loan that is actually enrolled in the CalCap program. Another addition through these changes is the addition of cross-references to many existing federal and state laws outside of the CalCap program that impose restrictions on insider transactions by lenders. This was added to provide guidance and clarification to lenders in the CalCap program. The final substantive change was to re-work language indicating when a lender may be removed from the program by the Executive Director. The new language increases the actions that can lead to removal. All other changes were minor grammatical corrections.

Title 4
California Code of Regulations
AMEND: 8070, 8071, 8072, 8073, 8074, 8076
Filed 12/29/05
Effective 12/29/05
Agency Contact: Eugene Lee (916) 654-5740

CAL- PERS
Conflict of Interest

This is a Conflict of Interest Code which has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing in the California Code of Regulations only.

Title 2
California Code of Regulations
AMEND: 560
Filed 12/30/05
Effective 01/29/06
Agency Contact: Marte Castanos (916) 326-3675

DEPARTMENT OF FOOD AND AGRICULTURE
Mediterranean Fruit Fly Interior Quarantine

This regulatory action is to make a western extension of the boundaries of the existent quarantine area for the Mediterranean Fruit Fly in Rancho Cucamonga in order to encompass part of Pomona in Los Angeles County since some mated females laden with eggs were found in that area. It also makes a slight southern extension to maintain the proper buffer zone due to finding some mated females in the southern part of the existent quarantine area.

Title 3
California Code of Regulations
AMEND: 3406(b)
Filed 12/28/05
Effective 12/28/05
Agency Contact: Stephen Brown (916) 654-1017

DEPARTMENT OF HEALTH SERVICES Deliberate Misconduct

This regulatory action adopts a definition for deliberate misconduct related to the handling of certain radioactive materials and states that a person who engages in deliberate misconduct will be subject to enforcement action under California's Radiation Control Law. The goal of the regulation is to create an equivalent rule to that of the U.S. Nuclear Regulatory Commission in order to remain compatible as required of an Agreement State.

Title 17
California Code of Regulations
ADOPT: 30105
Filed 12/29/05
Effective 01/28/06
Agency Contact: Cathy Ruebusch (916) 440-7841

DEPARTMENT OF INSURANCE CAARP Rates Rule 122 Messenger/Courier Operations

In this filing, the Department of Insurance amends the "California Automobile Assigned Risk Plan Simplified Manual of Rules and Rates" provisions pertaining to Rule 122, "Hired and Nonowned Auto Coverage for Messenger/Courier Operations." This filing is exempt from the rulemaking requirements of the Administrative Procedure Act pursuant to Government Code section 11340.9(g) and is submitted for filing and printing only.

Title 10
California Code of Regulations
AMEND: 2498.5
Filed 12/28/05
Effective 01/27/06
Agency Contact: Mike Riordan (415) 538-4226

DEPARTMENT OF MENTAL HEALTH Mental Health Services Act/Prop. 63

This emergency regulatory action implements Proposition 63 of 2005, the Mental Health Services Act. This action is deemed an emergency, exempt from the review of the Office of Administrative Law, and shall not remain in effect for more than one year pursuant to section 5898 of the Welfare and Institutions Code.

Title 9
California Code of Regulations
ADOPT: 3100, 3200.000, 3200.010, 3200.020, 3200.030, 3200.040, 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.140, 3200.150, 3200.160, 3310, 3400, 3405, 3410, 3415
Filed 12/30/05
Effective 12/30/05
Agency Contact: Steven Appel (916) 654-4027

DEPARTMENT OF PESTICIDE REGULATION Herbicide Clopyralid

These regulations are designed to keep clopyralid herbicides off of residential grass and out of compost. The adoption of 3 CCR § 6576 is intended to require licensed pest control dealers to acquire signatures from purchasers indicating their promise that they will only use clopyralid in areas where the grass clippings will not be removed from the property and will never be placed on residential grass. The language adopted in § 6950 states that no application of pesticide products that contain clopyralid will be made without the licensed or certified qualified applicator assuring that the grass clippings remain on the property. This creates a new chapter under the heading of Environmental Protection and new article titled, Pesticide Contamination Prevention.

Title 3
California Code of Regulations
ADOPT: 6576, 6950
Filed 12/28/05
Effective 01/27/06
Agency Contact:
Linda Irokawa-Otani (916) 445-3991

DEPARTMENT OF TOXIC SUBSTANCES CONTROL Perchlorate BMP

This emergency action defines terms and adopts best management practices for labeling, packaging, storing and disposing of perchlorate.

Title 22
California Code of Regulations
ADOPT: 67384.1, 67384.2, 67384.3, 67384.4, 67384.5, 67384.6, 67384.7, 67384.8, 67384.9, 67384.10, 67384.11
Filed 12/30/05
Effective 12/30/05
Agency Contact: James McRitchie (916) 327-8642

FAIR POLITICAL PRACTICES COMMISSION Exemption From Conflict of Interest Code

The action deals with "Commission Advice Procedure — Government Code sections 87300-87306",

“Public Officials, Definitions” and “Procedure and Standards for Obtaining Exemption from Government Code Section 87300, Requiring Adoption and Promulgation of a Conflict of Interest Code”.

Title 2
California Code of Regulations
AMEND: 18329.5, 18701, 18751
Filed 12/29/05
Effective 01/28/06
Agency Contact: Joan Giannetta (916) 322-5660

OFFICE OF ADMINISTRATIVE HEARINGS

General APA Hearing Procedures

The Office of Administrative Hearings is amending section 1038, title 1, California Code of Regulations entitled “Ordering the Record”. These changes were necessary in order to bring it into compliance with those changes to Government Code section 11523 made by Stats. 2005, Ch. 674.

Title 1
California Code of Regulations
AMEND: 1038
Filed 12/29/05
Effective 01/01/06
Agency Contact: Jonathan Lew (916) 445-4926

STRUCTURAL PEST CONTROL BOARD

Citations and Fines

This regulatory action revises provisions governing citations and fines, pesticide disclosure, corrective measures, and reporting.

Title 16
California Code of Regulations
AMEND: 1820, 1970.4, 1991, 1996
Filed 12/30/05
Effective 01/29/06
Agency Contact: Barbara Howe (916) 561-8700

CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN AUGUST 03, 2005 TO JANUARY 04, 2006

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation’s titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

12/29/05 AMEND: 1038

Title 2

12/30/05 AMEND: 560
12/29/05 AMEND: 18329.5, 18701, 18751
12/21/05 AMEND: 599.960, 599.961
12/20/05 AMEND: 18700, 18707, 18708
12/12/05 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80
11/16/05 AMEND: 1181
11/07/05 ADOPT: 1859.300, 1859.301, 1859.302, 1859.310, 1859.311, 1859.312, 1859.313, 1859.314, 1859.315, 1859.316, 1859.317, 1859.318, 1859.319, 1859.320, 1859.321, 1859.322, 1859.323, 1859.323.1, 1859.323.2, 1859.324, 1859.325, 1859.326, 1859.327, 1859.328,
11/07/05 AMEND: 20107
10/31/05 AMEND: 1859.2, 1859.81, 1866
10/27/05 AMEND: 1859.2, 1859.51, 1859.104.3, 1859.147, 1859.202, 1866, Form SAB 50-01
10/24/05 ADOPT: 1859.23 AMEND: 1859.2, 1859.122, 1859.123, 1859.123.1
10/18/05 ADOPT: 18732.5
10/11/05 ADOPT: 18117, 18772
10/11/05 AMEND: 18450.4
10/11/05 AMEND: 18401, 18427.1, 18700, 18705, 18707.9, 18730, 18750
10/06/05 ADOPT: 18735.5
09/23/05 ADOPT: 2280, 2281, 2282, 2283, 2284
09/15/05 AMEND: Div. 8, Ch. 71, Sec. 56000
09/13/05 AMEND: 18730
09/07/05 AMEND: Div. 8, Ch. 99, Sec. 58800
09/06/05 ADOPT: 1183.12, 1183.13, 1183.14 AMEND: 1181, 1181.1, 1181.2, 1181.3, 1183, 1183.01, 1183.02, 1183.03, 1183.04, 1183.05, 1183.06, 1183.07, 1183.08, 1183.1, 1183.11, 1183.12, 1183.2, 1183.21, 1183.3, 1187, 1187.2, 1187.3, 1187.4, 1188.1, 1188.3, 1188.4,
08/29/05 AMEND: Div. 8, Ch. 6, Sec. 27000
08/15/05 AMEND: 51000
08/09/05 ADOPT: 59520
08/04/05 AMEND: 2271

Title 3

12/28/05 AMEND: 3406(b)
12/28/05 ADOPT: 6576, 6950

12/15/05 AMEND: 6400
 12/13/05 AMEND: 3700(c)
 12/01/05 AMEND: 3700(c)
 11/23/05 AMEND: 3406(b)
 10/25/05 AMEND: 3406(b)
 10/24/05 AMEND: 3433(b)
 10/20/05 AMEND: 3591.19(a)
 10/19/05 AMEND: 3406(b)
 10/18/05 ADOPT: 3591.18
 10/17/05 AMEND: 3406(b)
 10/07/05 AMEND: 3406(b)
 10/07/05 ADOPT: 6551
 10/04/05 ADOPT: 3963
 10/03/05 AMEND: 3433
 09/28/05 ADOPT: 3591.19
 09/27/05 AMEND: 3700(c)
 09/16/05 ADOPT: 581
 08/12/05 AMEND: 3700(c)
 08/08/05 ADOPT: 1811, 1812, 1850 AMEND:
 1804, 1806, 1808, 1831, 1930, 1931,
 1932, 1940, 1941, 1942, 1943, 1944,
 1945, 1946, 1950 REPEAL: 1809, 1810,
 1851, 1851.1, 1870.1, 1870.2, 1871,
 1872, 1873, 1951, 1960, 1961

Title 4

12/29/05 AMEND: 8070, 8071, 8072, 8073, 8074,
 8076
 12/21/05 ADOPT: 12359
 12/14/05 AMEND: 7075, 7082, 7084, 7092, 7093,
 7094, 7098
 12/05/05 AMEND: 1977
 12/05/05 REPEAL: 1959.5, 1959.6, 1959.7,
 1959.8, 1976.5, 1976.7
 11/28/05 ADOPT: 7075, 7076, 7077, 7078, 7079,
 7079, 7080, 7081, 7082, 7083, 7084,
 7085, 7086, 7087, 7088, 7089, 7090,
 7091, 7092, 7093, 7094, 7095, 7096,
 7097, 7098, 7099 REPEAL: 7000, 7001,
 7003, 7004, 7005, 7006, 7007, 7008,
 7009, 7010, 7011, 7012, 7013, 7013.
 11/28/05 ADOPT: 503, 512, 515, 516, 517, 518,
 519, 523, 524 AMEND: 500, 501, 502,
 510, 513, 514, 520, 552, 530, 531, 533
 REPEAL: 521
 11/23/05 AMEND: 4083
 11/01/05 ADOPT: 10300, 10302, 10310, 10315,
 10317, 10320, 10322, 10325, 10326,
 10327, 10335, 10337
 10/27/05 ADOPT: 7030, 7031, 7032, 7033, 7034,
 7035, 7036, 7037, 7038, 7039, 7040,
 7041, 7042, 7043, 7044, 7045, 7046,
 7047, 7048, 7049, 7050 AMEND: 7047,
 7048 REPEAL: 7049

10/27/05 ADOPT: 9001, 9005, 9006, 9007, 9025,
 9027, 9050, 9051, 9052, 9053, 9054,
 9055, 9056, 9057, 9058, 9059, 9060,
 9061, 9062, 9063, 9064, 9065, 9066,
 9067, 9068, 9069, 9070 AMEND: 9020,
 9030, 9031, 9032, 9041, 9043

10/12/05 AMEND: 1433
 09/13/05 ADOPT: 1843.6
 09/12/05 AMEND: 4140
 08/24/05 AMEND: 1663
 08/17/05 AMEND: 1976.9
 08/08/05 AMEND: 1887

Title 5

12/29/05 ADOPT: 4680, 4681, 4682, 4683, 4684,
 4685, 4686, 4687 AMEND: 4600, 4610,
 4611, 4620, 4621, 4622, 4630, 4631,
 4632, 4633, 4640, 4650, 4651, 4660,
 4662, 4663, 4664, 4665, 4670, 4910
 REPEAL: 4661, 4671
 12/12/05 ADOPT: 80033.2
 12/07/05 AMEND: 43810
 12/06/05 ADOPT: 11963.5 AMEND: 11704,
 11963.2, 11963.3, 11963.4, 11963.5,
 11963.6
 11/17/05 AMEND: 41301 REPEAL: 41303,
 41304
 11/15/05 AMEND: 6111
 11/10/05 AMEND: 19826.1
 10/19/05 AMEND: 11900, 11905, 11915, 11920,
 11925, 11930, 11935
 10/14/05 ADOPT: 18092.5 AMEND: 18066,
 18069, 18078, 18081, 18083, 18084,
 18092, 18103, 18106, 18109, 18110
 10/14/05 ADOPT: 18092.5 AMEND: 18066,
 18069, 18078, 18081, 18083, 18084,
 18092, 18103, 18106, 18109, 18110
 10/11/05 ADOPT: 19850, 19851, 19852, 19853,
 19854 AMEND: 19814, 19814.1
 10/11/05 ADOPT: 18220.2, 18224.2, 18224.4,
 18240.5, 18249 AMEND: 18220, 18240,
 18248, 18244
 09/28/05 AMEND: 50500
 09/01/05 REPEAL: 1630
 08/22/05 AMEND: 850, 851, 852, 853, 853.5, 854,
 855, 857, 858, 859, 861, 862, 863, 864,
 864.5, 865, 866, 867, 867.5, 868870
 08/16/05 ADOPT: 1207.5 AMEND: 1200, 1203,
 1204.5, 1206, 1207, 1209, 1210, 1211,
 1211.5, 1215, 1215.5, 1216, 1217, 1225

Title 8

12/20/05 AMEND: 3395
 12/14/05 AMEND: 6632(f)
 12/13/05 AMEND: 20299

12/05/05 AMEND: 4650
 11/22/05 ADOPT: 13694
 11/22/05 ADOPT: 13680, 13681, 13682, 13683,
 13684, 13685, 13686, 13687, 13688,
 13689, 13690, 13691, 13692, 13693
 09/29/05 AMEND: 9789.11
 09/22/05 ADOPT: 9792.6, 9792.7, 9792.8, 9792.9,
 9792.10 REPEAL: 9792.11
 09/09/05 ADOPT: 9767.1, 9767.2, 9767.3, 9767.4,
 9767.5, 9767.6, 9767.7, 9767.8, 9767.9,
 9767.10, 9767.11, 9767.12, 9767.13,
 9767.14, 9767.15
 08/25/05 AMEND: 6184
 08/22/05 ADOPT: 3395
 08/10/05 AMEND: 8615
 08/09/05 AMEND: 6251

Title 9

12/30/05 ADOPT: 3100, 3200.000, 3200.010,
 3200.020, 3200.030, 3200.040,
 3200.050, 3200.060, 3200.070,
 3200.080, 3200.090, 3200.100,
 3200.110, 3200.120, 3200.130,
 3200.140, 3200.150, 3200.160, 3310,
 3400, 3405, 3410, 3415

Title 10

12/28/05 AMEND: 2498.5
 12/13/05 AMEND: 2312, 2312.5, 2315
 11/23/05 AMEND: 260.210, 260.211, 1726,
 1950.122, 2020
 11/16/05 AMEND: 2699.6600, 2699.6809
 11/15/05 AMEND: 2690.1
 11/03/05 ADOPT: 2698.95.1, 2698.95.11,
 2698.95.12, 2698.96, 2698.97,
 9698.97.1, 2698.98, 2698.98.1 AMEND:
 2698.95
 10/20/05 AMEND: 2318.6, 2353.1, 2354
 10/07/05 ADOPT: 2698.30, 2698.31, 2698.32,
 2698.33, 2698.34, 2698.35, 2698.36,
 2698.37, 2698.38, 2698.39, 2698.40,
 2698.41, 2698.42, 2698.43 REPEAL:
 Sections 2698.30, 2698.31, 2698.32,
 2698.33, 2698.34, 2698.35, 2698.36,
 2698.37, 2698.38, 2698.39, 2698.40,
 2698.
 09/28/05 AMEND: 260.121
 09/28/05 AMEND: 2498.4.9

Title 11

12/22/05 AMEND: 1005, 1007, 1008, D-1, D-10,
 D-14
 12/15/05 AMEND: 51.12
 12/01/05 ADOPT: 116.1
 11/22/05 ADOPT: 49.17
 10/24/05 AMEND: 1070, 1081, 1082
 08/22/05 AMEND: 1001, 1002, 1007

08/22/05 AMEND: 1002, 1007, 1018, 1008, 1015
 08/12/05 AMEND: 1005, 1060

Title 12

09/19/05 ADOPT: 460, 461

Title 13

12/16/05 ADOPT: 253.02 AMEND: 345.16
 12/07/05 ADOPT: 2425.1 AMEND: 2420, 2421,
 2423, 2425, 2426, 2427, Incorporated
 Test Procedures
 12/05/05 AMEND: 425.01
 11/08/05 AMEND: 550, 551.11, 551.12
 10/27/05 AMEND: 2453, 2455
 10/18/05 AMEND: 28.18, 28.19, 28.20, 28.21,
 28.22, 28.23
 09/15/05 ADOPT: 1961.1 AMEND: 1900, 1961
 09/15/05 AMEND: 1961(d)
 09/12/05 AMEND: 2262, 2264.2, 2266.5(a) (6)
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